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16 COMPANY

17
18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20 FRANK FOSTER, PHILLIP WAMOCK,
21 individually and on behalf of all others
similarly situated, and on behalf of the
22 general public,

23 Plaintiff,

24 v.

25 NATIONWIDE MUTUAL INSURANCE
COMPANY,

26 Defendant.

Case No. C3:07-CV-4928

**SUPPLEMENTAL DECLARATION OF
TERESA WIENCEK IN SUPPORT OF
NATIONWIDE'S MOTION TO
TRANSFER VENUE**

Date: December 7, 2007

Time: 11:00 a.m.

Court: 10

Before the Honorable Susan Illston

1 I, Teresa Wiencek, hereby declare the following:

2 1. I am currently employed by Nationwide Mutual Insurance Company
3 ("Nationwide" or the "Company") as the Vice President of Human Resources. I make the following
4 declaration in support of Nationwide's Motion to Transfer Venue, and do so under penalty of perjury
5 pursuant to 28 U.S.C. § 1746 that the following is true and correct based upon personal knowledge.

6 2. As Vice President of Human Resources, I have information regarding
7 Nationwide's acquisition of Allied Group, Inc., and I also have access to records describing the
8 numbers and locations of Nationwide's employees.

9 3. In 1998, Nationwide acquired Allied Group, Inc. Thus, Allied Group, Inc.,
10 including Allied Insurance ("Allied"), is a wholly-owned subsidiary of Nationwide.

11 4. After the acquisition, Nationwide continued to operate the Allied offices as
12 Allied Insurance. Nationwide maintains this distinction because Allied distributes insurance through
13 independent agents, while the rest of the Company distributes insurance through exclusive agents.

14 5. Employees working through the Allied offices are employees of Nationwide.

15 6. The Company, including Allied, has fifteen regional offices. These offices are
16 located in: Duluth, Georgia; Harrisburg, Pennsylvania; Raleigh, North Carolina; Richmond,
17 Virginia; Gainesville, Florida; Columbus, Ohio; Dallas, Texas; Nashville, Tennessee; Carmel,
18 Indiana; Denver, Colorado; Lincoln, Nebraska; Des Moines, Iowa (two offices); and Sacramento,
19 California (two offices).

20 7. Nationwide employs a group of individuals known as Special Investigators.

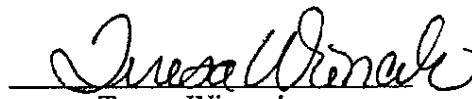
21 8. Special Investigators generally support their nearest regional office.
22 However, they report to the Company's Property and Casualty Technical Claims Office, which is
23 located at Nationwide's corporate headquarters in Columbus, Ohio.

24 9. From September 21, 2005 to the present, Nationwide has, to the best of my
25 knowledge, employed 306 Special Investigators throughout the country in the following numbers:
26 Alabama (6), Arkansas (4), Arizona (8), California (31), Colorado (3), Connecticut (6), Delaware
27 (4), Florida (26), Georgia (6), Iowa (7), Illinois (2), Indiana (5), Kansas (1), Kentucky (3), Maryland
28 (14), Michigan (13), Minnesota (2), Missouri (2), Mississippi (5), North Carolina (16), Nebraska (3),

(14), Michigan (13), Minnesota (2), Missouri (2), Mississippi (5), North Carolina (16), Nebraska (3), New Hampshire (1), New Jersey (1), Nevada (4), New York (23), Ohio (19), Oregon (4), Pennsylvania (25), Rhode Island (3), South Carolina (6), Tennessee (9), Texas (14), Utah (2), Virginia (18), Vermont (1), Washington (3), Wisconsin (1) and West Virginia (5).

10. From September 21, 2004 to the present, Nationwide has, to the best of my knowledge, employed 321 Special Investigators throughout the country in the following numbers: Alabama (7), Arkansas (4), Arizona (8), California (31), Colorado (3), Connecticut (6), Delaware (4), Florida (29), Georgia (6), Iowa (8), Illinois (2), Indiana (5), Kansas (1), Kentucky (3), Maryland (15), Michigan (13), Minnesota (2), Missouri (2), Mississippi (5), North Carolina (19), Nebraska (3), New Hampshire (1), New Jersey (1), Nevada (4), New York (25), Ohio (19), Oregon (4), Pennsylvania (26), Rhode Island (3), South Carolina (7), Tennessee (9), Texas (15), Utah (2), Virginia (18), Vermont (1), Washington (4), Wisconsin (1) and West Virginia (5).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Teresa Wiencek

Dated: 11-20-2007

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